

State of California  
AIR RESOURCES BOARD

**Addendum to the Final Statement of Reasons for Rulemaking**

PUBLIC HEARING TO CONSIDER THE AMENDMENTS TO THE CALIFORNIA CAP  
ON GREENHOUSE GAS EMISSIONS AND MARKET-BASED COMPLIANCE  
MECHANISMS

Public Hearing Date: December 19, 2018

Agenda Item No.: 18-10-7

Addendum Prepared: March 29, 2019

**I. GENERAL**

**A. Background**

On February 14, 2019, the California Air Resources Board (CARB or Board) submitted the Final Statement of Reasons (FSOR) for the rulemaking action entitled “Amendments to the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms” (California Cap-and-Trade Regulation or Regulation) to the Office of Administrative Law (OAL) for its review and approval.

**B. Non-Substantial Modifications**

The non-substantial modifications, described below, clarify and do not materially alter the requirements, rights, responsibilities, conditions, or prescriptions contained in the amendments as adopted by CARB and approved by OAL. (See Cal. Code Regs., tit. 1, § 40.)

After submission to OAL, the following non substantial modifications were made to correct errors:

- Section 95871, Table 8-2, was corrected to reference Budget Years 2021 to 2030 (instead of 2031). This amendment was explained in the Initial Statement of Reasons (ISOR), page 99, however the amendment was not reflected in the regulation text.
- Section 95892(d)(7)(A) was amended to correctly identify “The” as a new addition to the regulatory text using underline.
- Section 95892(e)(2) was amended to correctly reflect removal of the text “and any other allocated allowance auction proceeds” from existing text, as described in the ISOR, page 110. The text “Not previously reported as spent pursuant to section 95892(e)” was also inserted as strikeout text to correctly reflect its removal. These amendments were also reflected in section 95893(e)(2), as summarized in the ISOR, page 116. In addition, section 95893(e)(2) was amended to correctly reflect removal of the word “vintage” as described in the ISOR, page 116.

- Section 95912(h)(9) was amended to correctly reference section 95912(h)(1). The previous existing text referenced section 95912(i).
- Section 95977.1(b)(3)(M) was amended to remove the text “especially if ARB determines the errors have been repeated over multiple Offset Project Data Reports or the errors were intentional in nature”.

The previously described modifications constitute non-substantial changes to the regulatory text because they more accurately reflect the numbering of a section and correct spelling and grammatical errors. As explained, none of the listed changes materially alter the requirements or conditions of the proposed rulemaking action.

CARB has decided to not proceed with certain amendments. CARB has decided to remove section 95892(e)(4)(B)2.a and make corresponding revisions to section 95892(e)(4)(B)2. CARB has also decided to remove section 95893(e)(4)(B)2.d and make corresponding revisions to section 95893(e)(4)(B)2.